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U.S. DIST.
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VLADIMIR PETIT-PHARE, INDIVIDUALLY AND
AS TRUSTEE OF THE TRUST FOR THE CARE OF
LUKE AND AS PARENT GUARDIAN OF LUKE,
AND MARVEL LOUHS, INDIVIDUALLY AND AS
PARENT GUARDIAN OF LUKE,

STIPULATION AND
ORDER OF
SETTLEMENT AND
DISCONTINUANCE

Plaintiffs,

04 CV 04046
(ARR)(MDG)

-against-

THE CITY OF NEW YORK, NEW YORK CITY
POLICE DEPARTMENT, COMMISSIONER of the
NEW YORK CITY POLICE DEPARTMENT IN HIS
OFFICIAL CAPACITY, AND IN THEIR
INDIVIDUAL AND OFFICIAL CAPACITIES,
OFFICERS OF THE NEW YORK CITY POLICE
DEPARTMENT, JOHN DOE I, JOHN DOE II, JOHN
DOE III, JOHN DOE IV, JOHN DOE V, and NEW
YORK CITY POLICE SARGEANT JOHN DOE VI,

Defendants.

-----X
WHEREAS, plaintiffs Vladimir Petit-Phare and Marvel Louhis commenced this
action by filing a complaint on or about September 14, 2004 alleging that defendant City of New
York violated their constitutional rights; and

WHEREAS, defendant City of New York has denied any and all liability arising
out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation,
without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, as follows:

1. This above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiffs Vladimir Petit-Phare and Marvel Louhis the total sum of ONE THOUSAND DOLLARS (\$1,000) in full satisfaction of all claims, including claims for costs, expenses, and attorneys fees. In consideration for the payment of this sum, plaintiffs agree to dismissal of all the claims against the City of New York and to release the individuals identified in the caption of the complaint as "New York City Police Department, Commissioner of the New York City Police Department . . . , Officers of the New York City Police Department, John Doe I, John Doe II, John Doe III, John Doe IV, John Doe V, and New York City Police Sargeant John Doe VI," any present or former employees or agents of the City of New York and the New York City Police Department, and the City of New York from any and all liability, claims, or rights of action arising from and contained in the complaint in this action, including claims for costs, expenses, and attorneys fees.

3. Plaintiffs shall execute and deliver to defendant's attorney all documents necessary to effect this settlement, including, without limitation, release based on the terms of paragraph "2" above and Affidavits of No Liens.

4. Nothing contained herein shall be deemed to be an admission by the City of New York that it has in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or

bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.


6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: 04/24/06

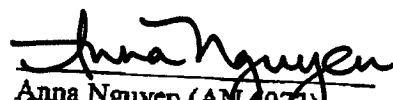
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By:


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By:


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Assistant Corporation Counsel

SO ORDERED:


U.S.D.J.

5/2/06